2008

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Emergency Response Consolidation) Bill 2008

(Amendments to be moved by Mr Abbott)

(1) Schedule 1, item 3, clause 204 (at the end of the table), page 3, (lines 9-11), omit the item.

(2) Schedule 1, item 10, clause 12, page 5 (line 7) to page 7, line 20, omit the clause,

substitute

“12 Condition applicable to certain subscription television narrowcasting services provided in the Northern Territory under class licences

(1) The provision by a person of a subscription television narrowcasting service under a class licence is also subject to the condition that the licensee will not broadcast an R18+ program in a way that will enable a subscriber in a prescribed area (within the meaning of the Northern Territory National Emergency Response Act 2007) to view the program.
Sunset provision

(2) Subclause (1) ceases to have effect at whichever is the earlier of the following times:
   (a) the end of the period of 5 years that began on the day after the day on which the Northern Territory National Emergency Response Act 2007 received the Royal Assent;
   (b) if a shorter period is specified in a written instrument made by the Minister for the purposes of this paragraph—the end of that shorter period.

(3) An instrument under paragraph (2)(b) is a legislative instrument, but section 42 (disallowance) of the Legislative Instruments Act 2003 does not apply to the instrument.

R 18+ programs

(4) For the purposes of this clause, an R 18+ program is:
   (a) a program that has been classified and/or assessed R 18+ by the Classification Board; or
   (b) a program that has been classified and/or assessed R 18+ by the provider of the subscription television narrowcasting service concerned."

(3) Schedule 1, item 10, subclause 12(17), page 7, (line 20), after the subclause insert

“12A Racial Discrimination Act

(1) Both:
   (a) the following provisions:
      (i) clause 12;
      (ii) the remaining provisions of this Act in so far as they relate to clause 12; and
   (b) any acts done under or for the purposes of those provisions;
are, for the purposes of the *Racial Discrimination Act 1975*, special measures.

(2) Both:
   (a) the following provisions:
       (i) clause 12;
       (ii) the remaining provisions of this Act in so far as they relate to clause 12; and
   (b) any acts done under or for the purposes of those provisions;

are excluded from the operation of Part II of the *Racial Discrimination Act 1975*.

(3) In this clause, a reference to any acts done includes a reference to any failure to do an act.”

(4) Schedule 1, item 13, page 8 (lines 23 to 25), omit the item.

(5) Schedule 1, item 16, page 9 (line 5) to page 12 (line 10), omit the item.

(6) Schedule 2, page 13 (line 2) to page 14 (line 22), omit the Schedule.

(7) Schedule 3, page 15 (line 2) to page 16 (line 7), omit the Schedule.